

Remarks

Applicants and the undersigned reviewed the pending Office Action before preparing this response. The allowance of claims 1-5 is noted with appreciation. As to the remaining claims, reconsideration is respectfully requested. Nonetheless, in light of the positions presented herein, all claims are now believed to be in condition for allowance.

The Examiner rejected claim 28 under 35 U.S.C. § 112, 2nd paragraph, as being indefinite, for reference to several figures. However, the structural formulae of the referenced figures are quite distinct as to the recited chromophores and, therefore, the subject matter of claim 28. Meeting all statutory requirements, Applicants believe this rejection should be withdrawn. Even so, Applicants believe agreement on this issue could be reached once any prior art concern is resolved.

The Examiner objected to claim 6 as being a substantial duplicate of claim 4, a point well-taken. However, Applicants believe the objection should be withdrawn as the difference in claim dependency (claim 4 dependent on claim 3 versus claim 6 dependent on claim 1) provides sufficient legal distinction. Again, Applicants may agree to a suitable claim amendment once the remaining issues are resolved.


The Examiner rejected claims 21-26 under 35 U.S.C. § 102(b) as anticipated by Marks '918, citing Figure 5 thereof. Applicants respectfully disagree. Assuming, for the point of argument, a basis for comparison with the present capping layer, the Marks '918 cross-linking component is chemically incapable of coupling to a chromophore with a siloxane bond sequence. (The Examiner is respectfully referred to columns 6-7 of Marks '918.) Accordingly, this reference does not anticipate independent claim 21, nor dependent claims 22-26, and should be withdrawn.

The Examiner also rejected claims 27 and 29-31 under 35 U.S.C. § 102(e) as anticipated by Dalton '717, citing the referenced figures and text. Applicants

respectfully disagree, in that it is believed the present invention predates the cited reference, confirmation of which continues. In the meantime, at least one compositional aspect of the present invention can be addressed as clearly and patentably distinguishable over Dalton; that is, compositions comprising a pyridinium chromophore -- support for which is found throughout the specification, in particular with respect to the pertinent structures of Figs. 2, 11 and 15.

This application is now believed to be in condition for allowance. Consistent therewith, favorable action is respectfully requested. The Examiner is invited to contact the undersigned by telephone should any issue remain. Thank you for your help and consideration.

Respectfully submitted,

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